

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

February 28, 2018

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Kadee Wright, Chief Investigator
Justin Barney, Hearing Officer
Allen McNeil, Real Estate Analyst
Elizabeth Harris, Assistant Attorney General
Amber Nielsen, Board Secretary
Kendelle Christiansen, Education Coordinator
Jim Bolton, Investigator
Craig Livingston, Investigator
Faruk Halilovic, Division Staff

BOARD MEMBERS PRESENT:

John Ulibarri, Chair
Jeffrey T. Morley, Vice Chair
Jim Bringhurst, Board Member

PUBLIC MEMBERS PRESENT:

Brent Applouie	Theron Case
Milinda mace	Dianne Burkman
Susan Yoshinaga	Kim Hanson

The February 28, 2018 meeting of the Appraiser Licensing and Certification Board began at 9:00 a.m. with Chair Ulibarrie conducting. Board Members Sloan and Ewell were excused from today's meeting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes – A motion was made and seconded to approve the January 30, 2017 minutes as written. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes. The motion passes.

There was not a quorum present to consider the minutes from the January 10, 2018 meeting.

Public Comment Period – Craig Smith had requested an opportunity to address the Board. Mr. Smith was not present at this time. The Board will allow Mr. Smith to address the Board if he appears. No public comment was given.

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported the Division Bill passed the House and Senate and has been sent to the Governor for his signature. The effective date will be May 8, 2017. There will need to be a discussion on the collection of fees. Director Stewart mentioned various scenarios to interpret and enforce the rules. The ASC will require that fees are collected as soon as reasonably possible. Once the fee is approved the Board will discuss logistics.

Director Stewart discussed briefly some changes to the AQB minimum standard reduction. He stated the Board and Division may require qualifications with exceed the minimum standard. He stated this will be discussed more later.

Director Stewart reported on a few areas of change which would be in the 2020-2021 USPAP. He stated he will send those areas to the Board.

Director Stewart reported he and Ms. Wright will be presenting at the Appraisal Institute.

ENFORCEMENT REPORT – Kadee Wright

Ms. Wright reported in January the Division received 5 complaints; opened 3 new cases; closed 13 cases; leaving 23 appraisal cases open with the Division. There are a total of 6 cases now with the AG's office. 5 of all cases are AMC cases.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren presented an applicant whose experience reviewer was not comfortable approving the applicant to sit for the licensed appraiser exam with the samples being from specialized files.

Mr. Fagergren presented Jacoba Larsen, Eric Cropper, and Monte Roberts for consideration to be added to the Experience Review Committee.

Mr. Fagergren presented lists of individuals who were approved for licensing by the Division since the last meeting.

Mr. Fagergren announced the Annual Division Caravan Course is coming up soon. The Caravan will take place in Park City on April 12, Vernal on April 17, Layton on April 19,

Provo on April 24, Moab on May 8, Richfield on May 9, Cedar City on May 10, St George on May 11, and Logan on May 15.

Stipulation for Review:

United Appraisers of Utah School

Mr. Fagergren briefly discussed some areas where the AQB minimum standards will differ from the current Utah requirements. He was asking for guidance on the handling of applicants during the transitional period. The Board asked Mr. Fagergren to provide a list of areas where Utah exceeds the minimum requirement. He will provide that at the next meeting.

Mr. Fagergren spoke on the issue of Craig Smith. Mr. Smith was licensed however he allowed his license to expire and is now outside of the one year reinstatement period. Mr. Fagergren stated there is nothing that can be done as Mr. Smith has passed the reinstatement window.

Chair Ulibarri noted the number of appraiser trainees has grown. The Board discussed the influx of applicants.

BOARD AND INDUSTRY ISSUES

Chair Ulibarri discussed preparations for training for reviewers. The Division stated they will have an outline to present next meeting. Dates for the training will be discussed at the next meeting.

Chair Ulibarri discussed that he would like to amend the rule to allow county assessors to collect quantitative data. There was a discussion on the current requirements and statutory authority granted. The discussion did not reach a conclusion prior to breaking for the review hearing.

A brief recess was held at 9:59 a.m. The meeting resumed at 10:09 a.m. for the informal hearing of Milinda Mace.

INFORMAL HEARING

10:09 Milinda Mace – Applicant
 Susan Yoshinaga, Witness for the Respondent
 Dianne Burkman, Witness for the Respondent
 Kim Hansen, Witness for the Respondent

The hearing concluded at 11:01 a.m. and brief recess was held. The meeting resumed at 11:04 a.m.

The discussion on quantative data collection resumed. It was determined the authority to do this was already granted under statute and no amendment was necessary.

Mr. Barney reported the rule amendment regarding AMCs has not yet been filed. The amendment should be filed next month and he will provide an update at that time.

Chair Ulibarri prepared a possible revision of the rules with changes regarding the AQB minimum standards. The Board had a lengthy discussion. The Board went through each item in the rules and discussed the Board's feelings on those rules.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held from approximately 12:23 p.m. to 12:52 p.m.

OPEN TO PUBLIC

RESULTS OF EXECUTIVE SESSION

Results of Stipulation:

United Appraisers of Utah School – Approved with Division concurrence

Ms. Mace will be notified of the Board's decision by mail.

A motion was made and seconded to adjourn the meeting. Vote: Chair Ulibarri, yes; Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes. The meeting adjourned at approximately 12:53 p.m.